

SIGNED.

Dated: January 11, 2021



  
Paul Sala, Bankruptcy Judge

THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

In re

HUGO CAMPOS,

KALA CAMPOS,

Debtors.

CHAPTER 13

CASE NO. 2: 20-01587-PS

**STIPULATED ORDER CONFIRMING  
CHAPTER 13 PLAN**

The Chapter 13 Plan having been properly noticed out to creditors and any objection to confirmation having been resolved,

**IT IS ORDERED** confirming the Plan the Debtors as follows:

**(A) INCOME SUBMITTED TO THE PLAN.** Debtors shall submit the following amounts of future income to the Trustee for distribution under the Plan.

(1) Future Earnings or Income. Debtors shall make the following monthly Plan payments:

Months	Amount
1-5	\$405
6-36	\$492

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1 The payments are due on or before the 16<sup>th</sup> day of each month commencing March 16,  
2 2020. Debtors are advised that when payments are remitted late, additional interest may accrue  
3 on secured debts which may result in a funding shortfall at the end of the Plan term. Any funding  
4 shortfall must be cured before the plan is deemed completed.

5 The Debtors shall provide to the Trustee copies of their **federal** and **state** income tax  
6 returns for post-petition years 2019 - 2022 within 30 days of filing them. The purpose is to assist  
7 the Trustee in determining any change in Debtors' annual disposable income.

8 (2) Other Property. The Debtors shall provide, directly to the Trustee their net federal  
9 and state income tax refunds for the years 2021- 2022, as supplemental to the plan. In the event  
10 that other property is submitted, it shall be treated as supplemental payments

11 (B) **DURATION.** This Plan shall continue for 36 months from the first regular monthly  
12 payment described in Paragraph (A)(1) above. If at any time before the end of the Plan period all  
13 claims are paid, then the Plan shall terminate. In no event will the term of the Plan be reduced to  
14 less than 36 months, exclusive of any property recovered by the Trustee, unless all allowed  
15 claims are paid in full.

16 (C) **CLASSIFICATION AND TREATMENT OF CLAIMS.** Claims shall be classified  
17 as listed below. The Plan and this Order shall not constitute an informal proof of claim for any  
18 creditor. This Order does not allow claims. Claims allowance is determined by § 502 and the  
19 Federal Rules of Bankruptcy Procedure. The Trustee shall receive the percentage fee on the Plan  
20 payments pursuant to 28 U.S.C. § 586(e), then the Trustee will pay secured creditors or allowed  
21 claims in the following order:

22 (1) Administrative expenses:

23 Attorney Fees. Tom McAvity, shall be allowed total compensation of \$4,500. Counsel  
24 received \$10 prior to filing this case and will be paid \$4,490 by the Chapter 13  
25 Trustee.

26 (2) Claims Secured by Real Property:

1 (a) M&T Bank, secured by a first deed of trust in the Debtors' residence, shall be paid  
2 the prepetition arrearage \$1,968.52 with 0% interest. Regular post-petition  
3 payments will be made directly by the Debtors to the secured creditor. Any post-  
4 petition payments will be made directly by the Debtors to the secured creditor.  
5 Any post-petition mortgage fees and expense shall be paid directly by the Debtors  
6 to the secured creditor.

7 (b) Secured Creditor, Lakeview Loan Servicing, shall be paid Post Petition mortgage  
8 fees of \$661.20.

9 (3) Claims Secured by Personal Property:

10 (a) TruWest Credit Union, secured by a lien in 2005 Chevy Silverado, shall be paid a  
11 secured claim of \$1,744.51 with 6% interest. The creditor will receive adequate  
12 protection payments of \$100 per month. The balance of the debt shall be classified  
13 as unsecured.

14 (b) Capital One Auto Finance, secured by a lien in 2011 Chevrolet Malibu, shall be  
15 paid a secured claim of \$4,469.01 with 6% interest. The creditor will receive  
16 adequate protection payments of \$100 per month. The balance of the debt shall be  
17 classified as unsecured.

18 (4) Unsecured Priority Claims:

19 (a) None.

20 (5) Surrendered Property:

21 Upon confirmation of this plan or except as otherwise ordered by the Court,  
22 bankruptcy stays are lifted as to collateral to be surrendered. Such creditor shall  
23 receive no distribution until the creditor timely files a claim or an amended proof of  
24 claim that reflects any deficiency balance remaining on the claim. Assuming the  
25 creditor has an allowed proof of claim, should the creditor fail to file an amended  
26 claim consistent with this provision, the Trustee need not make any distributions to  
27 that creditor. Debtors surrender the following property:

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2 (a) None.

3 (6) Other Provisions: None.


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5 (7) Unsecured Nonpriority Claims. Claims allowance is determined by § 502 and the  
6 Federal Rules of Bankruptcy Procedure. Allowed unsecured claims shall be paid pro  
7 rata the balance of the payments under the Plan and any unsecured debt balance  
8 remaining unpaid upon completion of the Plan may be discharged as provided in 11  
9 U.S.C. § 1328.

10 (D) **EFFECTIVE DATE AND VESTING**. The effective date of the Plan shall be the  
11 date of this Order. Property of the estate vests in Debtors upon confirmation, subject to the rights  
12 of the Trustee to assert a claim to any additional property of the estate pursuant to 11 U.S.C. §  
13 1306.

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15 **ORDER SIGNED ABOVE**  
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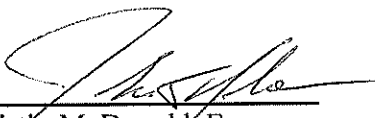
17 Approved as to Form and Content By:

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22 Edward J. Maney, Trustee

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25 Tom McAvity  
26 Attorney for Debtors

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4 Kristin McDonald, Esq.  
5 John D. Yoh  
6 Attorney for Secured Creditor, M&T Bank

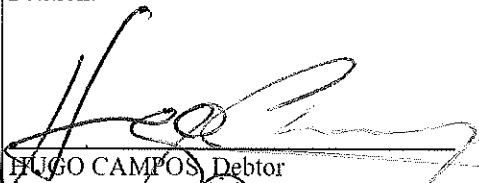
7 The Debtors certify: All required State and Federal Income tax returns have been filed No  
8 domestic support obligation is owed or, if owed, such payments are current since the filing of the  
9 Petition.  
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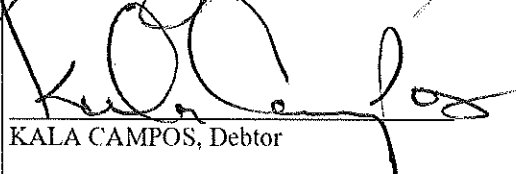
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12 HUGO CAMPOS, Debtor  
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15 KALA CAMPOS, Debtor  
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4 Kristin McDonald, Esq.  
5 Attorney for Secured Creditor, M&T Bank  
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